DET ORD (01/06)

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

FILED 25 AUG '11 13:55 USDC-ORE

UNITED STATES OF AMERICA,
Plaintiff,

v.

Cody Seth Crawford
Defendant.

CR 11-60097-HO

ORDER OF DETENTION AFTER HEARING (18 USC § 3142(i))

- [ ] On motion of the Government involving an alleged:
  - [ ] risk to the safety of any other person or the community for cases involving crimes described in 18 USC § 3142(f)(1)
  - [ ] serious risk defendant will flee:
  - [ ] serious risk defendant will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate a prospective witness or juror or attempt to do so,
- [ ] Upon consideration by the court *sua sponte* involving a:
  - [ ] serious risk defendant will flee:
  - [ ] serious risk defendant will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate a prospective witness or juror or attempt to do so,

Having considered the nature and circumstances of the offense charged, the weight of evidence against the defendant, the history and characteristics of the defendant, and the nature and seriousness of the danger to any person and to the community that would be posed by the defendant's release, the court finds that:

- [X] The offense charged creates a rebuttable presumption in 18 USC § 3142(e) that no combination of conditions will reasonably assure the safety of the community.

- [X] No condition or combination of conditions will reasonably assure the appearance of defendant as required due to:
  - [ ] Foreign citizenship and/or illegal alien
  - [ ] In custody/serving sentence
  - [ ] Substance use/abuse
  - [ ] ICE Detainer
  - [ ] Outstanding warrant(s)
  - [ ] Unknown family/employment/community ties
  - [ ] Deportation(s)
  - [ ] Prior failure(s) to appear
  - [ ] Unstable/ no residence available
  - [ ] Multiple or false identifiers
  - [ ] Prior supervision failure(s)
  - [ ] Information unverified/unverifiable
  - [ ] Aliases
  - [ ] Mental health issues
  - [ ] Prior criminal history [ ] including drug/drug related offense [ ] including alcohol/alcohol related offense
  - [ ] Prior probation/parole violation(s) [ ] including illicit drug use [ ] including alcohol abuse
  - [ ] Other: ____________________

- [X] No condition or combination of conditions will reasonably assure the safety of other persons and the community due to:
  - [X] Nature of offense
  - [ ] Prior supervision failures
  - [ ] Arrest behavior
  - [ ] Substance use/abuse
  - [ ] Possession of weapon(s)
  - [ ] Mental health issues
  - [X] Violent behavior
  - [ ] Alleged offense involves child pornography on the internet
  - [ ] Prior criminal history [ ] including drug/drug related offense [ ] including alcohol/alcohol related offense
  - [ ] Prior probation/parole violation(s) [ ] including illicit drug use [ ] including alcohol abuse
  - [ ] Other: ____________________

- [ ] Defendant has not rebutted by sufficient evidence to the contrary the presumption provided in 18 USC § 3142(e).

THEREFORE, IT IS ORDERED that:

1. Defendant is detained prior to trial;
2. Defendant is committed to the custody of the Attorney General for confinement in a corrections facility separated, as far as practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
3. Defendant shall be afforded a reasonable opportunity for private consultation with his counsel;
4. The superintendent of the corrections facility in which defendant is confined shall make the defendant available to the United States Marshal for the purpose of appearance in connection with any court proceeding.

DATED: 8/25/2011

[signature]
United States ~~District~~/Magistrate Judge